



PUBLIC NOTICE

Federal Communications Commission
45 L St., N.E.
Washington, D.C. 20554

News Media Information 202 / 418-0500
Internet: <https://www.fcc.gov>
TTY: 1-888-835-5322

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PUBLIC SAFETY AND HOMELAND SECURITY BUREAU APPROVES REGION 34 (OKLAHOMA) 700 MHZ REGIONAL PLAN

WT Docket No. 02-378

Introduction. The Region 34 (Oklahoma)¹ 700 MHz Regional Planning Committee (RPC) (Region 34) submitted a proposed 700 MHz Public Safety Plan (Plan) for General Use spectrum² in the 769-775/799-805 MHz band for review and approval.³ For the reasons discussed below, we approve the Region 34 700 MHz Plan.

Background. In 1998, the Commission established a structure to allow RPCs optimal flexibility to meet state and local needs, encourage innovative use of narrowband spectrum in the 700 MHz band, and accommodate new and as yet unanticipated developments in technology and equipment.⁴ Each of the fifty-five (55) RPCs is required to submit its plan for General Use spectrum.⁵ The Commission's role in relation to the RPCs is limited to (1) defining the regional boundaries; (2) requiring fair and open procedures, *i.e.*, requiring notice, opportunity for comment, and reasonable consideration; (3) specifying the elements that all regional plans must include; and (4) reviewing and accepting proposed plans (or amendments to approved plans) or rejecting them with an explanation.⁶

The Region 34 700 MHz Plan Update. On May 11, 2022, the RPC submitted an amendment to the Region 34 – 700 MHz Plan.⁷ In its amendment, the RPC proposes, among other things, to:

¹ The Region 34 (Oklahoma) 700 MHz regional planning area includes the entire state of Oklahoma.

² The General Use spectrum is administered by RPCs and is licensed for public safety services on a site-by-site basis in accordance with the relevant Commission-approved regional plan and frequency coordination.

³ See Letter from Scott Walsh, Chair, Regional Planning Committee 34, to Chief, Public Safety and Homeland Security Bureau, Federal Communications Commission, WT Docket No. 02-378 (dated May 11, 2022) (Cover Letter). See also Region 34 700 MHz Plan Update, WT Docket 02-378 (filed May 11, 2022) (Plan Amendment).

⁴ See *Development of Operational, Technical and Spectrum Requirements for Meeting Federal, State and Local Public Safety Agency Communication Requirements Through the Year 2010*, First Report and Order and Third Notice of Proposed Rulemaking, 14 FCC Rcd 152 (1998) (*First Report and Order*); Second Memorandum Opinion and Order, 15 FCC Rcd 16844 (2000). See also 47 CFR § 90.527.

⁵ See 47 CFR § 90.527.

⁶ *First Report and Order*, 14 FCC Rcd at 195 para. 87.

⁷ See Cover Letter and Plan Amendment.

- Indicate that all “Pre-Assignment” channel pools have expired and that the RPC will now process all applications for General Use channels on a first-come, first-served basis;⁸
- Incorporate the State License channels into its plan but reserve them for site-by-site licensing to the state until all other “General Access” channels are allotted to other licensees;⁹
- Specify that operation on interoperability channels will be guided by the most recent version of the National Interoperability Field Operations Guide (NIFOG), the State of Oklahoma Statewide Communications Interoperability Plan (SCIP) and local Tactical Interoperability Communications Plans (TICP);¹⁰
- Incorporate the Air-to-Ground and former Reserve channels into its plan;¹¹
- Designate six former Reserve channels for deployable trunked systems;¹²
- Allow meetings of the RPC to be held in person or virtual.¹³

Region 34’s RPC received concurrence letters for the proposed Plan Amendment from its nine adjacent regions: Region 4 (Arkansas), Region 7 (Colorado), Region 16 (Kansas), Region 24 (Missouri), Region 29 (New Mexico), Region 40 (Texas - Dallas), and Region 52 (Texas - Lubbock).¹⁴

On January 20, 2023, the Bureau released a Public Notice seeking comment on the Region 34 Plan Amendment.¹⁵ We received one comment from the National Regional Planning Council (NRPC) stating it “supports adoption of the amended Plan” but noting that “integration of ‘state’ channels into the ‘general channel’ pool (i.e., repacking), if required, potentially impacts the Computer Assisted Pre-coordination and Resource Database System (CAPRAD).”¹⁶ Nonetheless, the NRPC states that “[u]pon

⁸ *Id.* at 12, 32.

⁹ *Id.* at 32. *See also* 47 CFR § 90.531(b)(5) (listing all State License channels).

¹⁰ Plan Amendment at 42-44.

¹¹ *Id.*, Appendix D at 61-62. *See also* 47 CFR § 90.531(b)(2), (b)(7) (listing all Air-to-Ground and former Reserve channels).

¹² Plan Amendment, Appendix D at 64, 65, 66, 67, 92, and 94. The deployable trunked channels coincide with recommendations from National Public Safety Telecommunications Council and the National Regional Planning Council. *See Public Safety and Homeland Security Bureau Approves Recommended Nationwide Channels for Deployable Trunked Systems in the 700 MHz Narrowband Public Safety Band*, Public Notice, WT Docket 02-378, 30 FCC Rcd 3723 (PSHSB 2015).

¹³ Plan Amendment at 9.

¹⁴ *See* Letter from J.M. Rowe, Chairman Region 4, to Scott Walsh, Chairman, Region 39 RPC; Letter from Edward Boyer, Chairman Region 7, to Scott Walsh, Chairman, Region 39 RPC; Letter from Jason Bryant, Chairman Region 16, to Scott Walsh, Chairman, Region 39 RPC; Letter from Scott Bigham, Chairman, Region 24, to Scott Walsh, Chairman, Region 39 RPC; Letter from Philip Salazar, Chairman, Region 29, to Scott Walsh, Chairman, Region 39 RPC; Letter from CJ Holt, Chairman, Region 40, to Scott Walsh, Chairman, Region 39 RPC; Letter from John Kiehl, Chairman, Region 52, to Scott Walsh, Chairman, Region 39 RPC (collectively filed May 11, 2022).

¹⁵ *Public Safety and Homeland Security Bureau Seeks Comments on Region 34 (Oklahoma) 700 MHz Regional Plan Update*, Public Notice, DA 23-55 (PSHSB 2023).

¹⁶ *See* Comments of the National Regional Planning Council, WT Docket No. 02-378 (filed Feb. 20, 2023) at 2-3 (NRPC Comments).

review of the proposed changes, the NRPC supports Region 34 with its modifications and encourages the Commission to approve the Plan's amendment."¹⁷

Based on our review of the Plan Amendment and the comment we received, we conclude that Region 34's Plan Amendment complies with FCC rules and policies. Accordingly, pursuant to Section 4(i) of the Communications Act of 1934, as amended, 47 U.S.C. § 154(i), and Section 1.102(b) of the Commission's rules, 47 CFR § 1.102(b), the Region 34 (Oklahoma) 700 MHz Plan is APPROVED.

This action is taken under delegated authority pursuant to Sections 0.191 and 0.392 of the Commission's rules, 47 CFR §§ 0.191, 0.392.

For further information regarding this matter, contact Brian Marengo, Electronics Engineer, Policy and Licensing Division, Public Safety and Homeland Security Bureau at (202) 418-0838 or Brian.Marengo@fcc.gov.

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¹⁷ *Id.* at 3.